The House of Representatives convened at 9:00 a.m. and was called to order by Margaret Anderson Kelliher, Speaker of the House.

Prayer was offered by Major John Morris, Chaplain, Minnesota National Guard.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler        Dill        Heidgerken       Lesch        Olin         Slocum
Anderson, B.  Dittrich    Hilstrom         Liebling     Otremba      Smith
Anderson, S.  Dominguez   Hilty            Lieder        Paulsen      Solberg
Anzelec       Doty        Holberg          Lillie        Loeffler     Swails
Atkins        Eastlund    Hoppe            Lomor         Pelowski     Svigum
Beard         Eken        Hornstein        Madore        Peppin       Thao
Benson        Emmer       Hultney          Magnus        Peterson, A.  Thissen
Berns         Erhardt      Hosch            Mahoney       Peterson, N.  Tillberry
Bigham        Erickson    Howes            Mariani       Peterson, S.  Tschumper
Bly           Faust       Huntley          Marquart      Poppe        Udahl
Brod          Finstad     Jaros            Masin         Rukavina     Wagenius
Brown         Fritz       Johnson          McFarlane     Ruth         Walker
Brynaert      Gardner     Juhnke           McNamara     Ruud         Ward
Buesgens      Garofalo    Kahn             Moe           Sailer       Ward
Bunn          Gottwalt    Kalin            Morgan        Scalze       Welti
Carlson       Greiling    Knuth            Morrow        Seifert      Westrom
Clark          Gunther    Koenen           Mullery       Sertich      Winkler
Cornish       Hackbart    Kohls            Murphy, E.    Severson     Wollschlager
Davnie        Hamilton    Kranz            Murphy, M.    Shimanski    Zellers
Dean          Hansen     Laine            Nelson        Simon        Spk. Kelliher
Demmer        Hausman     Lanning          Nornes        Simpson      Slawik
Dettmer        Haws       Lenczewski       Norton

A quorum was present.

DeLaForest was excused until 10:30 a.m. Olson was excused until 11:50 a.m. Ozment was excused until 12:40 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Fritz moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.
FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Solberg announced his intention to place H. F. No. 464 on the Fiscal Calendar for Tuesday, May 15, 2007.

Sertich moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

The colors were presented by officers from the Minnesota Law Enforcement Memorial Association Honor Guard and Bill Gilchrist, a piper with the Minnesota Police Pipers, who performed the "Thin Blue Line" in recognition of Police Week beginning May 14, 2007 and Peace Officers Memorial Day on May 15, 2007.

RECONVENED

The House reconvened and was called to order by the Speaker.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Lenczewski from the Committee on Taxes to which was referred:

H. F. No. 413, A bill for an act relating to commerce; regulating franchise agreements between outdoor sport equipment dealers and manufacturers; establishing registration requirements; amending Minnesota Statutes 2006, sections 84.788, by adding a subdivision; 84.798, by adding a subdivision; proposing coding for new law as Minnesota Statutes, chapter 80G.

Reported the same back with the following amendments:

Page 1, delete lines 8 and 9

Page 10, delete article 2

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 3, delete "establishing registration requirements;"

Correct the title numbers accordingly

With the recommendation that when so amended the bill pass.

The report was adopted.
Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 1208, A bill for an act relating to state government; changing provisions for construction codes and licensing provisions; providing penalties and enforcement; instructing the revisor to renumber certain statutory sections; appropriating money; amending Minnesota Statutes 2006, sections 16B.04, subdivision 2; 16B.60, subdivisions 4, 7, 8, 11; 16B.61; 16B.615, subdivision 4; 16B.617; 16B.6175; 16B.63; 16B.64, by adding a subdivision; 16B.65; 16B.70; 16B.72; 16B.73; 16B.735; 16B.74, subdivisions 1, 2, by adding subdivisions; 16B.741; 16B.744; 16B.745, subdivisions 1, 4; 16B.747; 16B.748; 16B.76; 31.175; 103I.621, subdivision 3; 144.122; 144.99, subdivision 1; 175.16, subdivision 1; 178.01; 178.02; 178.03, subdivision 3; 178.041, subdivision 1; 183.38; 183.39, subdivision 1; 183.411, subdivision 2; 183.42; 183.43; 183.463; 183.466; 183.47; 183.501; 183.505; 183.51; 183.54, by adding a subdivision; 183.56; 183.57, subdivisions 1, 2, 5, 6; 183.59; 183.60; 183.61, subdivisions 2, 4; 214.01, subdivision 3; 214.04, subdivisions 1, 3; 299F.011, subdivision 1; 325E.37, subdivision 6; 325E.58; 326.01, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, by adding subdivisions; 326.242; 326.243; 326.244, subdivisions 1, 2, 3, 4, 5, 6, 7, 8, by adding subdivisions; 326.47; 326.48; 326.50; 326.57, subdivision 1; 326.58; 326.59; 326.60; 326.601; 326.61, subdivisions 1, 2, 3, 4; 326.62; 326.65; 326.83, subdivisions 6, 7, 11, 18, 19, 20; 326.84; 326.841; 326.842; 326.86; 326.87; 326.88; 326.89; 326.90, subdivision 1; 326.91, subdivision 1; 326.92; 326.921; 326.93; 326.94; 326.95, subdivision 2; 326.96; 326.97; 326.975, subdivision 1; 326.992; 327.20, subdivision 1; 327.205; 327.31, subdivisions 2, 3, 4, 7, 15, by adding a subdivision; 327.32, subdivision 8; 327.33, subdivisions 2, 6, 7; 327.34, subdivision 3; 327.35, subdivisions 1, 2; 327A.01, subdivision 2; 327B.01, subdivisions 4, 5, 6, 7, 8, by adding subdivisions; 327B.04, subdivisions 1, 4, 6, 7, 8, by adding a subdivision; 327B.05, subdivision 1; 327B.10; 363A.40, subdivision 1; 462.357, subdivision 6a; 462A.07, subdivision 8; 471.465; 471.466; 471.467; 471.471; proposing coding for new law in Minnesota Statutes, chapters 326; 327B; proposing coding for new law as Minnesota Statutes, chapter 326B; repealing Minnesota Statutes 2006, sections 16B.665; 16B.747, subdivision 4; 183.001; 183.02; 183.375, subdivisions 1, 2, 3, 4, 5, 6; 183.41, subdivisions 1, 2, 3, 4; 183.43; 183.44, subdivisions 1, 2, 3; 183.52; 183.54, subdivision 2; 183.545, subdivision 9; 183.61, subdivisions 1, 2, 3, 5, 6; 326.01, subdivisions 4, 6, 9, 10, 11, 12, 13; 326.241; 326.242, subdivisions 4, 9, 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h, 9i, 9j, 9k, 9l, 10; 326.244, subdivision 6; 326.246; 326.2461; 326.247; 326.40, subdivision 4; 326.41; 326.44; 326.45; 326.47; 326.51; 326.52; 326.64; 326.83, subdivisions 3, 4, 12, 13; 326.85; 326.875; 326.91, subdivisions 2, 3, 4; 326.945; 326.975; 326.98; 327B.05, subdivisions 2, 3, 4, 5, 6; Minnesota Rules, parts 2809.0230; 2891.0010; 2891.0030; 3800.2650; 3800.3580; 3800.3590; 3800.3630; 3800.3750; 3800.3835; 4715.5600; 4715.5900; 4717.7000, subpart 1, item I; 5225.0880; 5225.8600, subparts 1, 2, 3, 4, 5, 6, 7, 8, 9; 5230.0010; 5230.0020; 5230.0040; 5230.0060, subpart 2; 5230.0100, subparts 1, 3, 4.

Reported the same back with the following amendments:

Page 109, line 10, delete "$90" and insert "$30"

Page 199, line 8, after "TRANSFER;" insert "APPROPRIATION REDUCTION;"

Page 199, line 12, after the period, insert "If an annual transfer for this purpose is enacted more than once in the 2007 session, the annual transfer is effective only once."

Page 199, after line 12, insert:

"Sec. 2. APPROPRIATION REDUCTIONS.

(a) The general fund appropriation to the Commissioner of Labor and Industry is reduced by $2,800,000 in fiscal year 2008 and $2,862,000 in fiscal year 2009 and each fiscal year thereafter. If an annual appropriation reduction for this purpose is enacted more than once in the 2007 session, the annual reduction is effective only once."
(b) The state government special revenue fund appropriation to the Commissioner of Labor and Industry is reduced by $1,874,000 in fiscal year 2008 and $1,918,000 in fiscal year 2009 and each fiscal year thereafter. If an annual appropriation reduction for this purpose is enacted more than once in the 2007 session, the annual reduction is effective only once."

Page 199, line 14, before "Minnesota" insert "(a)" and delete "16B.747, subdivision 4;"

Page 199, line 22, after "sections" insert "16B.747, subdivision 4;"

Renumber the sections in sequence and correct the internal references

Amend the title as follows:

Page 1, line 4, after "money;" insert "providing appropriation reductions;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Lenczewski from the Committee on Taxes to which was referred:

H. F. No. 1940, A bill for an act relating to airports; creating an advisory task force to study airport funding issues and the state airports fund; authorizing agreement relating to Willmar airport; requiring a report; appropriating money.

Reported the same back with the following amendments:

Page 1, line 20, delete "three" and insert "two" and after "senate" insert "tax committee" and delete "Subcommittee on Committees of" and insert "chair of the tax committee"

Page 1, line 21, delete everything before the semicolon

Page 1, line 22, delete "three" and insert "two" and before the comma, insert "tax committee" and after the comma, delete "two" and delete "speaker of" and insert "chair of the tax committee"

Page 1, line 23, delete everything before the period

Page 2, line 2, before "aviation" insert "taxes or"

Page 2, line 3, after the period, insert "The chair of the task force shall be elected by the members appointed by the chairs of the house of representatives and senate tax committees at the first meeting of the task force."

Page 2, line 5, after "organizations" insert "or entities"

Page 2, line 14, delete "and"

Page 2, line 15, delete the period and insert "; and"
Page 2, after line 15, insert:

“(10) municipalities that own or operate airports.”

Page 2, line 17, delete everything after the period

Page 2, delete line 18

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 413 and 1208 were read for the second time.

CALENDAR FOR THE DAY

S. F. No. 1495, A bill for an act relating to employment; extending laws governing payroll card accounts; amending Laws 2005, chapter 158, section 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, B.
Anderson, S.
Anzelec
Atkins
Beard
Benson
Berner
Bigham
Bly
Brod
Brown
Brynaert
Buegens
Bunn
Carlson
Clark
Cornish
Davnie
Dean
Demmer
Dettmer
Dill
Ditrich
Dominguez
Doty
Eastlund
Eken
Emmer
Erhardt
Erickson
Faust
Finstad
Fritz
Gardner
Garofalo
Gottwald
Greiling
Gunther
Hacklbarth
Hamilton
Hansen
Hausman
Haws
Heidgerken
Hilstrom
Hilty
Holberg
Hoppe
Hortman
Hornstein
Hosch
Howes
Hunley
Jaros
Johnson
Juhnke
Kahn
Kalin
Knuth
Koenen
Kohls
Kranz
Laine
Lanning
Lenczewski
Lesch
Liebling
Lieder
Lillie
Loeffler
Madore
Magnus
Mahoney
Mariani
Marquart
Masin
McFarlane
McNamara
Moe
Morgan
Morrow
Mullery
Murphy, E.
Murphy, M.
Nelson
Nornes
Norton
Nordin
Olin
Otremba
Paulsen
Paymar
Pelowski
Peppin
Peterson, A.
Peterson, N.
Peterson, S.
Pope
Rukavina
Ruth
Ruud
Sailer
Scaife
Seifert
Severson
Shimanski
Simon
Simpson
Slawik
Stocum
Smith
Sviggum
The bill was passed and its title agreed to.

S. F. No. 1048 was reported to the House.

Hilty moved to amend S. F. No. 1048, the first engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1051, the first engrossment:

"Section 1. Minnesota Statutes 2006, section 3.922, is amended to read:

3.922 INDIAN AFFAIRS COUNCIL.

Subdivision 1. Creation, membership. The state Indian Affairs Council is created to consist of the following ex officio members:

the governor or a member of the governor’s official staff designated by the governor,

the commissioner of education,

the commissioner of human services,

the commissioner of natural resources,

the commissioner of human rights,

the commissioner of employment and economic development,

the commissioner of corrections,

the commissioner of the Minnesota Housing Finance Agency,

the commissioner of Iron Range resources and rehabilitation,

the commissioner of health,

the commissioner of transportation,

the commissioner of administration,

each of whom may designate a staff member to serve instead, and

three members of the house of representatives appointed by the speaker, and three members of the senate appointed by its Subcommittee on Committees."
Voting members of the council are the elected tribal chair of:

(1) one member of each of the following tribal sovereign nations, designated by the elected tribal president or chairperson of the governing bodies of: the Fond du Lac Reservation Business Committee Band;

the Grand Portage Reservation Business Committee Band;

the Mille Lacs Reservation Business Committee Band;

the White Earth Reservation Business Committee Band;

the Bois Forte (Nett Lake) Reservation Business Committee Band;

the Leech Lake Reservation Business Committee Band;

the Red Lake Tribal Council Nation;

the Upper Sioux board of trustees Community;

the Lower Sioux Tribal Council Community;

the Shakopee-Mdewankanton General Council Sioux Community;

the Prairie Island Tribal Council Mdewakanton Dakota Community; and

(2) the directors or commissioners of each tribal agency as designated by the presidents or chairpersons of each band, tribe, or community:

two members to be selected under subdivision 2.

(3) a member of the governor's official staff designated by the governor:

the commissioner of education;

the commissioner of human services;

the commissioner of natural resources;

the commissioner of human rights;

the commissioner of employment and economic development;

the commissioner of corrections;

the commissioner of the Minnesota Housing Finance Agency;

the commissioner of Iron Range resources and rehabilitation;

the commissioner of health;

the commissioner of transportation;
the commissioner of veterans affairs;

the commissioner of administration, each of whom may designate a staff member to serve instead;

(4) three members of the house of representatives, including one member of the largest minority caucus, appointed by the speaker; and

(5) three members of the senate, including one member of the largest minority caucus, appointed by its Subcommittee on Committees.

The chairs of the Indian committees, trusts, or councils may designate in writing a member who has been elected at large to an office in the committee, trust, or council, to serve instead. Members appointed to represent the house of representatives, or the senate or tribal governments, shall no longer serve on the council when they are no longer members of the bodies which they represent and their offices shall be vacant. A member who is a designee of a tribal chair president or chairperson shall cease to be a member at the end of the term of the designating tribal chair president or chairperson. Ex officio members or their designees on Only members of the council designated under clause (1) shall not vote.

Subd. 2. Additional members. Two members of the council shall be elected at large by Indian residents of Minnesota who are legal members and eligible voters of a federally recognized tribe in accordance with the criteria of the tribe and are not members of any federally recognized tribe with a reservation in Minnesota. The election shall be in a manner prescribed by the secretary of state. The manner of election, certification, and contest shall, as far as reasonably possible, be consistent with procedures employed in general elections in the state to ensure a fair election and ready access to the election process by eligible voters. The voting procedure shall include voting by absentee ballot. A person is eligible to serve as an at-large member of the council if at the time of the election the person is a qualified voter within the requirements of the Minnesota Constitution, article VII and a member of a federally recognized tribe that does not have a reservation in Minnesota. The election shall be certified and regulated by the secretary of state. Elections shall be held by April 14, 1981, and by every fourth April 14 thereafter. The term of office for at-large members is four years commencing on the April 20 following the election and ending at 12:01 a.m., April 20 four years later.

Subd. 3. Compensation; expenses. Compensation of nonlegislator members appointed under subdivision 1, clause (1), is as provided in section 15.059, but, 15.0575. Because the council performs functions that are not purely advisory, the expiration dates provided in that section 15.059 do not apply. Expenses of the council must be approved by two of any three members of the council designated by the council and then be paid in the same manner as other state expenses. The executive secretary chair shall inform the commissioner of finance in writing of the names of the persons authorized to approve expenses.

Subd. 4. Meetings. Meetings may be called by the chair or at the written request of five members of the council. A majority of the voting members of the council is a quorum.

Subd. 5. Officers; personnel; authority. The council shall annually elect a chair and other officers as it may deem necessary. The chair may appoint subcommittees necessary to fulfill the duties of the council. It shall also employ and prescribe the duties of employees and agents as it deems necessary at the direction of elected tribal leaders. The compensation of the executive director of the board council is as provided by section 43A.18. All employees are in the unclassified service. The chair is an ex officio member of the State Board of Human Rights. Appropriations and other funds of the council are subject to chapter 16C. The council may contract in its own name. Contracts must be approved by a majority of the members of the council with the approval of elected tribal leaders and executed by the chair and the executive director. The council may apply for, receive, and spend in its own name, grants and gifts of money consistent with the powers and duties specified in this section. The council shall maintain its primary office in Bemidji. It shall also maintain personnel and office space in St. Paul.
Subd. 6. Duties. The primary duties of the council are to:

1. clarify for the legislature and state agencies the nature of tribal governments and the relationship of tribal governments to the Indian people of Minnesota;

2. assist the secretary of state in establishing an election of at-large members of the council;

3. (1) analyze and make recommendations to tribal elected leaders and to members of the legislature and the governor on desired and needed legislation to benefit the statewide Indian community and communicate to the members of the legislature when legislation has or will have an adverse effect on the statewide Indian community;

4. provide, through the elected apparatus of the council, an effective conduit to the legislature for and information on programs, proposals, and projects submitted by of importance to tribal governments, organizations, committees, groups, or individuals and nontribal Indian organizations;

5. provide a continuing dialogue with members of the tribal governments to improve their knowledge of the legislative process, state agencies, and governmental due process;

6. (2) assist in establishing Indian advisory councils in cooperation with state agencies that deliver services to the Indian community tribal sovereign nations in Minnesota and the urban Indian communities;

7. (3) assist state agencies in defining what groups, organizations, committees, councils, or individuals are eligible for delivery of their respective services;

8. (4) assist in providing ensuring the provision of resources, tribal and other, in the delivery of services to the statewide Indian community tribal sovereign nations in Minnesota and the urban Indian communities;

9. act as a liaison between local, state, and national units of government in (5) recommend to tribal governments and the state government the means to enhance the delivery of services to the Indian population of members of tribal sovereign nations in Minnesota by local, state, and national units of government;

10. (6) assist state agencies in implementing and updating studies of services delivered to the Indian community tribal sovereign nations in Minnesota and urban Indian communities;

11. (7) provide, for the benefit of all levels of state government, a continuing liaison between state governmental bodies and elected tribal governments and officials leaders;

12. (8) interact with private organizations involved with Indian concerns to people that develop and implement programs to assist Indian people, as they when such programs may affect state agencies and departments;

13. act as an intermediary, when requested and if necessary, between Indian interests and state agencies and departments when questions, problems, or conflicts exist or arise;

14. provide information for and direction to a program to assist Indian citizens to assume all the rights, privileges, and duties of citizenship, and to coordinate and cooperate with local, state, and national private agencies providing services to the Indian people;

15. (9) develop educational programs, community organization programs, leadership development programs, motivational programs, and business development programs for Indian persons who have been, are, or will be subject to prejudice and discrimination;
(16) cooperate and consult with appropriate commissioners and agencies to develop plans and programs to most effectively serve the needs of Indians; and

(17) review data provided by the commissioner of human services under section 260C.215, subdivision 5, and present recommendations to elected tribal leaders on the out-of-home placement of Indian children. Recommendations must be presented to the commissioner and the legislature by February 1, 1990; November 1, 1990; and November 1 of each year thereafter; and

(11) prepare a proposed agenda for the annual summit of elected tribal leaders, legislative leaders and the governor.

Subd. 7. State officials and departments; cooperation. In carrying out these objectives and to ascertain Indian the needs of members of tribal sovereign nations in Minnesota and urban Indian community members, the council shall have the right to confer with state officials and other governmental units and have access to records as necessary to obtain needed information. The council also shall have the right to call upon various state departments for technical advice and service as needed to fulfill its purposes.

Subd. 8. Advisory council board. An advisory council board on urban Indians shall advise the council on the unique problems and concerns of Minnesota Indians who reside in urban areas of the state. The council must be appointed by the council at the direction of the elected tribal leadership and consist of six Indians residing in the vicinity of Minneapolis, St. Paul, Bemidji, and Duluth. At least one member of the council board must be a resident of each city. The terms, compensation, and removal of members are as provided in section 15.059, but the expiration dates provided in that section do not apply.

Subd. 10. Rulemaking. Notwithstanding other law, the council does not have authority to adopt, amend, or repeal rules or to adjudicate contested cases or appeals. Rules adopted before July 1, 2001, may continue in effect until amended or repealed by law."

The motion prevailed and the amendment was adopted.

S. F. No. 1048, A bill for an act relating to state government; changing the state Indian Affairs Council; amending Minnesota Statutes 2006, section 3.922.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 110 yeas and 22 nays as follows:

Those who voted in the affirmative were:

Abeler  Brynaert  Doty  Hansen  Howes  Laine
Anzelc  Bunn  Eken  Hausman  Huntley  Lenczewski
Atkins  Carlson  Erhardt  Haws  Jaros  Lesch
Beard  Clark  Faust  Heidgerken  Johnson  Liebling
Benson  Cornish  Finkad  Hilstrom  Juhnke  Lieder
Berns  Davnie  Fritz  Hilty  Kahn  Lillie
Bigham  Demmer  Gardner  Hoppe  Kalin  Loeffler
Bly  Dil  Greiling  Hornstein  Knuth  Madore
Brod  Dittrich  Gunther  Hortman  Koenen  Magnus
Brown  Dominguez  Hamilton  Hosch  Kranz  Mahoney
Those who voted in the negative were:

<table>
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<th>Those who voted in the negative were:</th>
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<tr>
<td>Anderson, B.</td>
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<td>Anderson, S.</td>
</tr>
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<td>Buesgens</td>
</tr>
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<td>Dean</td>
</tr>
</tbody>
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The bill was passed, as amended, and its title agreed to.

S. F. No. 1333 was reported to the House.

Simon moved to amend S. F. No. 1333, the second engrossment, as follows:

Page 4, line 25, after "more" insert "or to a recreational vehicle as defined in section 168.011, subdivision 25"

The motion prevailed and the amendment was adopted.

Urdahl and Heidgerken moved to amend S. F. No. 1333, the second engrossment, as amended, as follows:

Page 4, line 25, after "more" insert "or to a truck as defined in section 325E.068, subdivision 6, when physical modifications have been requested by the prospective buyer"

The motion prevailed and the amendment was adopted.

The Speaker called Juhnke to the Chair.

Seifert moved to amend S. F. No. 1333, the second engrossment, as amended, as follows:

Pages 4 to 7, delete section 7

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.
The question was taken on the Seifert amendment and the roll was called. There were 87 yeas and 45 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, B.
Anderson, S.
Beard
Benson
Berns
Bly
Brod
Brown
Buesgens
Cornish
Dean
DeLaForest
Demmer
Dettmer
Dill
Dittrich
Domínguez
Doty
Eastlund
Emmer
Erhardt
Erickson
Faust
Finstad
Fritz
Garofalo
Gottwald
Gunther
Hackbarth
Hamilton
Haws
Heidgerken
Holberg
Hoppe
Hosch
Huves
Jaros
Jalin
Kalin
Koenen
Kohls
Kranz
Lanning
Lieder
Madore
Magnus
Marquart
McFarlane
McNamara
Moe
Morgan
Morrow
Nornes
Olin
Otremba
Paulsen
Pelowski
Peppin
Peterson, A.
Peterson, N.
Poppe
Rukavina
Ruth
Sailer
Scalze
Seifert
Seirich
Severson
Shimanski
Simpson
Smith
Solberg
Sviggum
Swails
Tingelstad
Urdahl
Walker
Ward
Welti
Westrom
Wolfschlag
Zellers

Those who voted in the negative were:

Anzelc
Atkins
Bigham
Brynaert
Bunn
Carlson
Clark
Davnie
Gardner
Greiling
Hansen
Hausman
Haws
Heidgerken
Hansen
Hausman
Haws

The motion prevailed and the amendment was adopted.

S. F. No. 1333, A bill for an act relating to commerce; enacting a car buyers’ bill of rights; requiring disclosures; regulating the sale of “certified” used motor vehicles; requiring a cancellation option on purchase of a used motor vehicle; amending Minnesota Statutes 2006, sections 53C.01, by adding subdivisions; 53C.08, by adding a subdivision; 325F.662, subdivision 10, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 53C.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 104 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, B.
Anderson, S.
Anzelc
Atkins
Bigham
Bly
Brod
Brown
Berns
Bly
Brod
Brown
Buesgens
Cornish
Dean
DeLaForest
Demmer
Dettmer
Dill
Dittrich
Domínguez
Doty
Eastlund
Emmer
Erhardt
Erickson
Faust
Finstad
Fritz
Garofalo
Gottwald
Gunther
Hackbarth
Hamilton
Haws
Heidgerken
Holberg
Hoppe
Hosch
Huves
Jaros
Jalin
Kalin
Koenen
Kohls
Kranz
Lanning
Lieder
Madore
Magnus
Marquart
McFarlane
McNamara
Moe
Morgan
Morrow
Nornes
Olin
Otremba
Paulsen
Pelowski
Peppin
Peterson, A.
Peterson, N.
Poppe
Rukavina
Ruth
Sailer
Scalze
Seifert
Seirich
Severson
Shimanski
Simpson
Smith
Solberg
Sviggum
Swails
Tingelstad
Urdahl
Walker
Ward
Welti
Westrom
Wolfschlag
Zellers

Those who voted in the negative were:

Anzelc
Atkins
Bigham
Brynaert
Bunn
Carlson
Clark
Davnie
Gardner
Greiling
Hansen
Hausman
Haws
Heidgerken
Hansen
Hausman
Haws

The motion prevailed and the amendment was adopted.

S. F. No. 1333, A bill for an act relating to commerce; enacting a car buyers’ bill of rights; requiring disclosures; regulating the sale of “certified” used motor vehicles; requiring a cancellation option on purchase of a used motor vehicle; amending Minnesota Statutes 2006, sections 53C.01, by adding subdivisions; 53C.08, by adding a subdivision; 325F.662, subdivision 10, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 53C.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 104 yeas and 27 nays as follows:

Those who voted in the affirmative were:

Abeler
Anderson, B.
Anderson, S.
Anzelc
Atkins
Bigham
Bly
Brod
Brown
Berns
Bly
Brod
Brown
Buesgens
Cornish
Dean
DeLaForest
Demmer
Dettmer
Dill
Dittrich
Domínguez
Doty
Eastlund
Emmer
Erhardt
Erickson
Faust
Finstad
Fritz
Garofalo
Gottwald
Gunther
Hackbarth
Hamilton
Haws
Heidgerken
Holberg
Hoppe
Hosch
Huves
Jaros
Jalin
Kalin
Koenen
Kohls
Kranz
Lanning
Lieder
Madore
Magnus
Marquart
McFarlane
McNamara
Moe
Morgan
Morrow
Nornes
Olin
Otremba
Paulsen
Pelowski
Peppin
Peterson, A.
Peterson, N.
Poppe
Rukavina
Ruth
Sailer
Scalze
Seifert
Seirich
Severson
Shimanski
Simpson
Smith
Solberg
Sviggum
Swails
Tingelstad
Urdahl
Walker
Ward
Welti
Westrom
Wolfschlag
Zellers

Those who voted in the negative were:

Anzelc
Atkins
Bigham
Brynaert
Bunn
Carlson
Clark
Davnie
Gardner
Greiling
Hansen
Hausman
Haws
Heidgerken
Hansen
Hausman
Haws

The motion prevailed and the amendment was adopted.

S. F. No. 1333, A bill for an act relating to commerce; enacting a car buyers’ bill of rights; requiring disclosures; regulating the sale of “certified” used motor vehicles; requiring a cancellation option on purchase of a used motor vehicle; amending Minnesota Statutes 2006, sections 53C.01, by adding subdivisions; 53C.08, by adding a subdivision; 325F.662, subdivision 10, by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapter 53C.
Those who voted in the negative were:

- Anderson, B.
- Beard
- Buesgens
- Cornish
- Dean

The bill was passed, as amended, and its title agreed to.

S. F. No. 2226 was reported to the House.

Hilty moved to amend S. F. No. 2226, the first engrossment, as follows:

Delete everything after the enacting clause and insert the following language of H. F. No. 1710, the first engrossment:

"Section 1. Minnesota Statutes 2006, section 307.08, is amended to read:

307.08 DAMAGES; ILLEGAL MOLESTATION OF HUMAN REMAINS; BURIALS; CEMETERIES; PENALTY; AUTHENTICATION.

Subdivision 1. Legislative intent; scope. It is a declaration and statement of legislative intent that all human burials and human skeletal remains, and human burial grounds shall be accorded equal treatment and respect for human dignity without reference to their ethnic origins, cultural backgrounds, or religious affiliations. The provisions of this section shall apply to all human burials or human skeletal remains or human burial grounds found on or in all public or private lands or waters in Minnesota.

Subd. 2. Felony; gross misdemeanor. (a) A person who intentionally, willfully, and knowingly does any of the following is guilty of a felony:

(1) destroys, mutilates, or injures human burials or human burial grounds; or

(2) without the consent of the appropriate authority, disturbs, human burial grounds or removes human skeletal remains or human burial grounds, is guilty of a felony.
(b) A person who, without the consent of the appropriate authority and the landowner, intentionally, willfully, or knowingly does any of the following is guilty of a gross misdemeanor:

1. removes any tombstone, monument, or structure placed in any public or private cemetery or unmarked authenticated human burial ground; or

2. removes any fence, railing, or other work erected for protection or ornament, or any tree, shrub, or plant or grave goods and artifacts within the limits of the a public or private cemetery or authenticated human burial ground, and a person who, without authority from the trustees, state archaeologist, or Indian affairs council, or

3. discharges any firearms upon or over the grounds of any public or private cemetery or authenticated and identified Indian burial ground, is guilty of a gross misdemeanor.

Subd. 3. Protective posting. Every Upon the agreement of the appropriate authority and the landowner, an authenticated and identified or recorded human burial ground may be posted for protective purposes every 75 feet around its perimeter with signs listing the activities prohibited by subdivision 2 and the penalty for violation of it. Posting is at the discretion of the Indian affairs council in the case of Indian burials or at the discretion of the state archaeologist in the case of non-Indian burials. This subdivision does not require posting of a burial ground. The size, description, location, and information on the signs used for protective posting must be approved by the appropriate authority and the landowner.

Subd. 3a. Authentication. The state archaeologist shall authenticate all burial sites grounds for purposes of this section and may enter on property for the purpose of authenticating burial sites. Only after obtaining written permission from the property owner or lessee, descendants of persons buried in burial sites covered by this section may enter the burial sites for the purpose of conducting religious ceremonies. This right of entry must not unreasonably burden property owners or unnecessarily restrict their use of the property. The state archaeologist may retain the services of a qualified professional archaeologist, a qualified physical anthropologist, or other appropriate experts for the purpose of gathering information that the state archaeologist can use to authenticate or identify burial grounds. If probable Indian burial grounds are to be disturbed or probable Indian remains analyzed, the Indian Affairs Council must approve the professional archaeologist, qualified anthropologist, or other appropriate expert. Authentication is at the discretion of the state archaeologist based on the needs identified in this section or upon request by an agency, a landowner, or other appropriate authority.

Subd. 4. State archaeologist. The state shall retain the services of a qualified professional archaeologist, approved by the state archaeologist and the Indian Affairs Council, for the purpose of gathering information to authenticate or identify Indian burial grounds when requested by a concerned scientific or contemporary Indian ethnic group, when Indian burials are known or suspected to exist on public lands or waters controlled by the state or political subdivision.

Subd. 5. Cost; use of data. The cost of authentication, recording, surveying, and marking burial grounds and the cost of identification, marking, and analysis, rescue of unmarked or unidentified burial grounds or burial, and reburial of human remains on public lands or waters shall be the responsibility of the state or political subdivision controlling the lands or waters. The data collected by this activity that has common value for natural resource planning must be provided and integrated into the Minnesota land management information system’s geographic and summary databases according to published data compatibility guidelines. Costs associated with this data delivery must be borne by the state.

Subd. 6. Approval of signs. The size, description and information on the signs must be approved by the Minnesota State Historical Society.
Subd. 7. **Remains found outside of recorded cemeteries.** All unidentified human remains or burials found outside of platted, recorded, or identified cemeteries or unplatted graves or burials found within recorded cemeteries and in contexts which indicate antiquity greater than 50 years shall be dealt with according to the provisions of this section. If such burials are not Indian or their ethnic identity cannot be ascertained, as determined by the state archaeologist, they shall be dealt with in accordance with provisions established by the state archaeologist and other appropriate authority. If such burials are Indian, as determined by the state archaeologist, efforts shall be made by the state archaeologist and the Indian Affairs Council to ascertain their tribal identity. If their probable tribal identity can be determined and the remains have been removed from their original context, such remains shall at the discretion of the state archaeologist and Indian Affairs Council, be turned over to contemporary tribal leaders for disposition. If it is deemed desirable by the state archaeologist or the Indian Affairs Council, such remains shall be studied by a qualified professional archaeologist before being delivered to the tribal leaders. If tribal identity cannot be determined, the Indian remains must be dealt with in accordance with provisions established by the state archaeologist and the Indian Affairs Council if they are from public land. If removed Indian remains are from private land they shall be dealt with in accordance with provisions established by the Indian Affairs Council. If it is deemed desirable by the state archaeologist or the Indian Affairs Council, removed remains shall be studied in a timely and respectful manner by a qualified professional archaeologist or a qualified physical anthropologist before being delivered to tribal leaders or before being reburied. Application by a landowner for permission to develop or disturb nonburial areas within authenticated or recorded burial grounds shall be made to the state archaeologist and other appropriate authority in the case of non-Indian burials and to the Indian Affairs Council and other appropriate authority in the case of Indian burials. Landowners with authenticated or suspected human burial grounds on their property are obligated to inform prospective buyers of the burial ground.

Subd. 8. **Burial ground relocation.** No non-Indian burial ground may be relocated without the consent of the appropriate authority. No authenticated and identified Indian burial ground may be relocated unless the request to relocate is approved by the Indian Affairs Council. When an Indian burial ground is located on public lands or waters, any burial relocations must be duly licensed under section 138.36 and the cost of removal is the responsibility of and shall be paid by the state or political subdivision controlling the lands or waters. If large Indian burial grounds are involved, authenticated on private lands, efforts may be made by the state to purchase and protect them instead of removing them to another location.

Subd. 9. **Interagency cooperation.** The Department of Natural Resources, the Department of Transportation, and all other state agencies and local governmental units whose activities may be affected, shall cooperate with the state archaeologist and the Indian Affairs Council to carry out the provisions of this section.

Subd. 10. **Construction and development plan review.** When Indian human burials are known or suspected to exist, on public lands or waters, the state or political subdivision controlling the lands or waters or, in the case of private lands, the landowner or developer, shall submit construction and development plans to the state archaeologist and the Indian Affairs Council for review prior to the time bids are advertised and prior to any disturbance within the burial area. If the known or suspected burials are thought to be Indian, plans shall also be submitted to the Indian Affairs Council. The state archaeologist and the Indian Affairs Council shall promptly review the plans within 30 days of receipt and make recommendations for the preservation in place or removal of the human burials or remains, which may be endangered by construction or development activities.

Subd. 11. **Burial sites data.** Burial sites locational and related data maintained by the Office of the State Archaeologist and accessible through the office’s "Unplatted Burial Sites and Earthworks in Minnesota” Web site are security information for purposes of section 13.37. Persons who gain access to the data maintained on the site are subject to liability under section 13.08 and the penalty established by section 13.09 if they improperly use or further disseminate the data.
Subd. 12. Right of entry. The state archaeologist may enter on property for the purpose of authenticating burial sites. Only after obtaining permission from the property owner or lessee, descendants of persons buried in burial grounds covered by this section may enter the burial grounds for the purpose of conducting religious or commemorative ceremonies. This right of entry must not unreasonably burden property owners or unnecessarily restrict their use of the property.

Subd. 13. Definitions. As used in this section, the following terms have the meanings given.

(a) "Abandoned cemetery" means a cemetery where the cemetery association has disbanded or the cemetery is neglected and contains marked graves older than 50 years.

(b) "Appropriate authority" means:

(1) the trustees when the trustees have been legally defined to administer burial grounds;

(2) the Indian Affairs Council in the case of Indian burial grounds lacking trustees;

(3) the county board in the case of abandoned cemeteries under section 306.243; and

(4) the state archaeologist in the case of non-Indian burial grounds lacking trustees or not officially defined as abandoned.

(c) "Artifacts" means natural or artificial articles, objects, implements, or other items of archaeological interest.

(d) "Authenticate" means to establish the presence of or high potential of human burials or human skeletal remains being located in a discrete area, delimit the boundaries of human burial grounds or graves, and attempt to determine the ethnic, cultural, or religious affiliation of individuals interred.

(e) "Burial" means the organic remnants of the human body that were intentionally interred as part of a mortuary process.

(f) "Burial ground" means a discrete location that is known to contain or has high potential to contain human remains based on physical evidence, historical records, or reliable informant accounts.

(g) "Cemetery" means a discrete location that is known to contain or intended to be used for the internment of human remains.

(h) "Disturb" means any activity that significantly harms the physical integrity or setting of a human burial or human burial ground.

(i) "Grave goods" means objects or artifacts directly associated with human burials or human burial grounds that were placed as part of a mortuary ritual at the time of interment.

(j) "Human remains" means the calcified portion of the human body, not including isolated teeth, or cremated remains deposited in a container or discrete feature.

(k) "Identification" means to analyze organic materials to attempt to determine if they represent human remains and to attempt to establish the ethnic, cultural, or religious affiliations of such remains.

(l) "Marked" means a burial that has a recognizable tombstone or obvious grave marker in place or a legible sign identifying an area as a burial ground or cemetery.
(m) "Qualified physical anthropologist" means a specialist in identifying human remains who holds an advanced degree in anthropology or a closely related field.

(n) "Qualified professional archaeologist" means an archaeologist who meets the United States Secretary of the Interior's professional qualification standards in Code of Federal Regulations, title 36, part 61, appendix A, or subsequent revisions.

(o) "Recorded cemetery" means a cemetery that has a surveyed plat filed in a county recorder’s office.

(p) "State" or "the state" means the state of Minnesota or an agency or official of the state acting in an official capacity.

(q) "Trustees" means the recognized representatives of the original incorporators, board of directors, or cemetery association.

The motion prevailed and the amendment was adopted.

S. F. No. 2226, A bill for an act relating to state government; clarifying private cemeteries; amending Minnesota Statutes 2006, section 307.08.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 85 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Anzelc  Eken  Jaros  Madore  Otremba  Thao
Atkins  Faust  Johnson  Mahoney  Paymar  Thissen
Benson  Fritz  Juhnke  Maniaci  Pelowski  Tillberry
Bigham  Gardner  Kahn  Marquart  Peterson, A.  Tschumper
Bly  Greiling  Kahn  Masin  Poppe  Wagenius
Brown  Hansen  Knuth  McFarlane  Rukavina  Walker
Brynaert  Hausman  Koenen  Moe  Ruth  Ward
Bunn  Haws  Kranz  Morgan  Ruud  Welti
Carlson  Hilstrom  Laine  Morrow  Sailer  Winkler
Clark  Hilty  Lenczewski  Mullery  Scalze  Spk. Kelliher
Davnie  Hornstein  Lesch  Murphy, E.  Sertich
Dill  Hortman  Liebling  Murphy, M.  Simon
Dittrich  Hosch  Lieder  Nelson  Slavik
Dominguez  Howes  Lillie  Norton  Slocum
Doty  Hunley  Loeffler  Olin  Solberg

Those who voted in the negative were:

Abeler  Brod  Demmer  Erickson  Hackbarth  Kohls
Anderson, B.  Buesgens  Detmer  Finstad  Hamilton  Lanning
Anderson, S.  Cornish  Eastlund  Garofalo  Heidgerken  Magnus
Beard  Dean  Emmer  Gottwalt  Holberg  McNamara
Berns  DeLaForest  Erhardt  Gunther  Hoppe  Nornes
The bill was passed, as amended, and its title agreed to.

S. F. No. 1019, A bill for an act relating to utilities; making technical change relating to ex parte rules of Public Utilities Commission; amending Minnesota Statutes 2006, section 216A.037, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler  Dettmer  Haws  Lenczewski  Norton  Simpson
Anderson, B.  Dill  Heidgerken  Lesch  Olin  Slawik
Anderson, S.  Dittrich  Hilstrom  Liebling  Olson  Stlocum
Anzelc  Dominguez  Hilty  Lieder  Otremba  Smith
Atkins  Doty  Holberg  Lillie  Paulsen  Solberg
Beard  Eastlund  Hoppe  Loeffler  Paymar  Sviggum
Benson  Eken  Hornstein  Madore  Pelowski  Swails
Berns  Emmer  Hortman  Magnus  Peppin  Thao
Bigham  Erhardt  Hosch  Mahoney  Peterson, A.  Thissen
Bly  Erickson  Howes  Mariani  Peterson, N.  Tillberry
Brod  Faust  Huntley  Marquart  Peterson, S.  Tingelstad
Brown  Finstad  Jaros  Masin  Poppe  Tschumper
Brynaert  Fritz  Johnson  McFarlane  Rukavina  Udahl
Buesgens  Gardner  Juhnke  McNamara  Ruth  Wagenius
Bunn  Garofalo  Kahn  Moe  Ruud  Walker
Carlson  Gottwalt  Kalin  Morgan  Sailer  Ward
Clark  Greiling  Knuth  Morrow  Scalze  Wardlow
Cornish  Gunther  Koenen  Mullery  Seifert  Welti
Davnie  Hackbart  Kohls  Murphy, E.  Sertich  Westrom
Dean  Hamilton  Kranz  Murphy, M.  Severson  Winkler
DeLaForest  Hansen  Laine  Nelson  Shimanski  Zellers
Demmer  Hausman  Lanning  Nornes  Simon  Spk. Kelliher

The bill was passed and its title agreed to.

S. F. No. 69 was reported to the House.

Atkins moved to amend S. F. No. 69, the first engrossment, as follows:

Page 2, after line 14, insert:

"EFFECTIVE DATE; APPLICATION. This section is effective August 1, 2007, and applies to gift certificates issued or sold on or after that date."

The motion prevailed and the amendment was adopted.
S. F. No. 69, A bill for an act relating to commerce; prohibiting expiration dates and service fees on gift certificates and gift cards; proposing coding for new law in Minnesota Statutes, chapter 325G.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 95 yeas and 37 nays as follows:

Those who voted in the affirmative were:

Abeler           Dominguez       Howes        Madore           Otremba        Smith
Anzelc           Doty           Huntley      Mahoney          Paymar         Solberg
Atkins           Eken           Jaros        Mariani          Pelowski       Swails
Benson           Erhardt        Johnson      Marquart         Peterson, A.   Thao
Bigham           Faust          Juhnke       Masin            Peterson, N.   Thissen
Bly              Fritz          Kain         McFarlane        Peterson, S.   Tillberry
Brod             Gardner        Knuth        McNamara         Poppe           Tschumper
Brown            Greiling       Koenen       Moe              Rukavina        Wagenius
Brynaert         Hansen        Kranz        Morgan           Ruth            Walker
Bunn             Hausman        Laine        Morrow           Ruud           Ward
Carlson          Haws           Lenczewski   Mullery          Sailer          Welti
Clark            Hilstrom       Lesch        Murphy, E.      Scalze          Westrom
Cornish          Hilty          Liebling     Murphy, M.      Sertich         Winkler
Davnie           Hornstein      Lieder       Nelson           Simon           Wolfschlager
Dill             Hortman        Lillie       Norton           Slawik          Spk. Kelliher
Dittrich         Hosch          Loeffler     Olin             Slocum

Those who voted in the negative were:

Anderson, B.     Demmer         Gottwalt     Kohls            Seifert         Wardlow
Anderson, S.     Dettmer        Gunther      Lanning          Severson        Zellers
Beard            Eastlund       Hackbarth    Magnus           Shimanski       
Berns            Emmer          Hamilton     Nornes           Simpson         
Buesgens         Erickson       Heidgerken   Olson            Svigum          
Dean             Finstad        Holberg      Paulsen          Tingelstad      
DeLaForest       Garofalo       Hoppe        Peppin           Urdahl

The bill was passed, as amended, and its title agreed to.

S. F. No. 184 was reported to the House.

Buesgens moved to amend S. F. No. 184, the second engrossment, as follows:

Page 2, line 10, delete "work" and insert "have a discussion"

The motion did not prevail and the amendment was not adopted.
Gottwalt moved to amend S. F. No. 184, the second engrossment, as follows:

Page 2, delete section 3

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Gottwalt amendment and the roll was called. There were 120 yeas and 12 nays as follows:

Those who voted in the affirmative were:

Abeler  Demmer  Hansen  Lanning  Nornes  Simon
Anderson, B.  Dettmer  Hausman  Lenczewski  Olin  Simpson
Anderson, S.  Dill  Haws  Lesch  Olson  Slawik
Anzelc  Dittrich  Heidgerken  Liebling  Otremba  Stocum
Atkins  Doty  Hilstrom  Lieder  Paulsen  Smith
Beard  Eastlund  Hilty  Lillie  Paymar  Solberg
Benson  Eken  Holberg  Loeffler  Pelowski  Svigum
Berns  Emmer  Hoppe  Madore  Peppin  Swails
Bigham  Erhardt  Hortman  Magnus  Peterson, A.  Tillberry
Bly  Erickson  Hosch  Mahoney  Peterson, N.  Tschumper
Brod  Faust  Howes  Marquart  Peterson, S.  Udahl
Brown  Finstad  Huntley  Masin  Poppe  Wagenius
Brynaert  Fritz  Johnson  McFarlane  Ruth  Ward
Buesgens  Gardner  Juhne  McNamara  Ruud  Wardlow
Bunn  Garofalo  Kahn  Moe  Sailer  Welzi
Carlson  Gottwald  Kalin  Morgan  Scalze  Westrom
Cornish  Greiling  Koenen  Morrow  Seifert  Winkler
Davnie  Gunther  Kohls  Mullery  Sertzic  Wollschlager
Dean  Hackworth  Kranz  Murphy, M.  Severson  Zellers
DeLaForest  Hamilton  Laine  Nelson  Shimanski  Spk. Kelliher

Those who voted in the negative were:

Clark  Hornstein  Knuth  Murphy, E.  Rukavina  Thissen
Domínguez  Jaros  Mariani  Norton  Thao  Walker

The motion prevailed and the amendment was adopted.

Brod moved to amend S. F. No. 184, the second engrossment, as amended, as follows:

Page 1, line 10, delete the first "A" and insert "Subject to the requirements of this subdivision, a"
"In addition, if the patient is under 18 years of age, the registered nurse may not dispense oral contraceptives until at least 48 hours after written notice of the prescription request has been made in the following specified manner:

(a) The notice shall be addressed to the parent at the usual place of abode of the parent and delivered personally to the parent by the physician or an agent.

(b) In lieu of the delivery required by clause (a), notice shall be made by certified mail addressed to the parent at the usual place of abode of the parent with return receipt requested and restricted delivery to the addressee which means postal employee can only deliver the mail to the authorized addressee. Time of delivery shall be deemed to occur at 12 o'clock noon on the next day on which regular mail delivery takes place, subsequent to mailing."

Renumber the sections in sequence and correct the internal references
Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Brod amendment and the roll was called. There were 54 yeas and 79 nays as follows:

Those who voted in the affirmative were:

<table>
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<tr>
<th>Abeler</th>
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Those who voted in the negative were:

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<th>Anzelc</th>
<th>Faust</th>
<th>Kahn</th>
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<td>Peterson, A.</td>
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The motion did not prevail and the amendment was not adopted.
Peppin moved to amend S. F. No. 184, the second engrossment, as amended, as follows:

Page 1, line 10, delete the first "A" and insert "Subject to the requirements of this subdivision, a"

Page 1, line 15, after the period, insert:

"In addition, if the patient is under 16 years of age, the registered nurse may not dispense oral contraceptives until at least 48 hours after written notice of the prescription request has been made in the following specified manner:

(a) The notice shall be addressed to the parent at the usual place of abode of the parent and delivered personally to the parent by the physician or an agent.

(b) In lieu of the delivery required by clause (a), notice shall be made by certified mail addressed to the parent at the usual place of abode of the parent with return receipt requested and restricted delivery to the addressee which means postal employee can only deliver the mail to the authorized addressee. Time of delivery shall be deemed to occur at 12 o'clock noon on the next day on which regular mail delivery takes place, subsequent to mailing."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Peppin amendment and the roll was called. There were 57 yeas and 76 nays as follows:

Those who voted in the affirmative were:

Abeler  DeLaForest  Garofalo  Koenen  Otremba  Sviggum
Anderson, B.  Demmer  Gottwald  Kohls  Ozment  Tingelstad
Anderson, S.  Dettmer  Gunther  Lanning  Paulsen  Urdahl
Beard  Dittrich  Hackbarth  Magnus  Peppin  Ward
Berns  Doty  Hamilton  Marquart  Ruth  Wardlow
Brod  Eastlund  Heidgerken  McFarlane  Seifert  Westrom
Buensgens  Emmer  Holberg  McNamara  Severson  Zellers
Bunn  Erickson  Hoppe  Nornes  Shimanski  
Cornish  Finstad  Hosch  Olin  Simpson  
Dean  Fritz  Howes  Olson  Smith

Those who voted in the negative were:

Anzelc  Dill  Hilstrom  Knuth  Mahoney  Paymar
Atkins  Dominguez  Hilty  Kranz  Mariani  Pelowski
Benson  Eken  Hornstein  Laine  Masin  Peterson, A.
Bigham  Erhardt  Hortman  Lenczewski  Moe  Peterson, N.
Bly  Faust  Huntley  Lesch  Morgan  Peterson, S.
Brown  Gardner  Jaros  Liebling  Morrow  Poppe
Brynaert  Grelling  Johnson  Lieder  Mullery  Rukavina
Carlson  Hansen  Juhnke  Lillie  Murphy, E.  Ruud
Clark  Hausman  Kahn  Loeffler  Murphy, M.  Sailer
Davnie  Haws  Kalin  Madore  Nelson  Scalze
The motion did not prevail and the amendment was not adopted.

Brod moved to amend S. F. No. 184, the second engrossment, as amended, as follows:

Page 1, line 10, delete the first "A" and insert "Subject to the requirements of this subdivision, a"

Page 1, line 15, after the period, insert:

"In addition, if the patient is under 12 years of age, the registered nurse may not dispense oral contraceptives until after written notice of the prescription request has been made in the following specified manner:

(a) The notice shall be addressed to the parent at the usual place of abode of the parent and delivered personally to the parent by the physician or an agent.

(b) In lieu of the delivery required by clause (a), notice shall be made by certified mail addressed to the parent at the usual place of abode of the parent with return receipt requested and restricted delivery to the addressee which means postal employee can only deliver the mail to the authorized addressee. Time of delivery shall be deemed to occur at 12 o'clock noon on the next day on which regular mail delivery takes place, subsequent to mailing."

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Brod amendment and the roll was called. There were 74 yeas and 59 nays as follows:

Those who voted in the affirmative were:
Those who voted in the negative were:

Anzelc  Atkins  Benson  Bigham  Bly  Brown  Brynaert  Dominguez  Erhardt
Gardner  Greiling  Hansen  Hausman  Hilstrom  Hilty  Hornstein  Huntley  Jaro
Johnson  Juhnke  Kahn  Knuth  Laine  Lesch  Liebling  Lillie  Loeffler
Madore  Mahoney  Mariani  Masin  Moe  Mullery  Murphy, E.  Nelson  Pelowski
Peterson, A.  Peterson, S.  Poppe  Rukavina  Ruud  Scalze  Tschumper  Slawik  Solberg
Thao  Thissen  Tillberry  Wagenius  Wollschlager  Spk. Kelliher

The motion prevailed and the amendment was adopted.

Dean moved to amend S. F. No. 184, the second engrossment, as amended, as follows:

Page 2, line 4, delete "nonprofit community health"
Page 2, line 5, delete "as defined in section 145.925"

A roll call was requested and properly seconded.

The question was taken on the Dean amendment and the roll was called. There were 59 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Abeler  Demmer  Gottwald  Juhnke  Otremba  Solberg
Anderson, B.  Dettmer  Gunther  Koenen  Ozment  Sviggum
Anderson, S.  Dittrich  Hackbard  Kohls  Pauelsen  Thao
Beard  Eastlund  Hamilton  Lanning  Peppin  Tingelstad
Berns  Eken  Haws  Magnus  Ruth  Urda
Brod  Emmer  Heidgerken  McFarlane  McNamara  Seifert  Ward
Buesgens  Erickson  Holberg  Nornes  Severson  Wardlow
Cornish  Finstad  Hoppe  Olin  Shimanski  Westrom
Dean  Fritz  Hosch  Olson  Simpson  Zellers
DeLaForest  Garofalo  Howes  Kranz  Marquart  Paymar

Those who voted in the negative were:

Anzelc  Atkins  Benson  Bigham  Bly  Brown  Brynaert  Bunn  Carlson  Clark
Davnie  Dill  Dominguez  Doty  Erhardt  Faust  Gardner  Greiling  Hansen  Hausman
Hilstrom  Hilty  Hornstein  Hortman  Huntley  Jaro  Johnson  Kahn  Kalin  Knuth
Kranz  Lenczewski  Lesch  Lieder  Lillie  Loefler  Mahoney  Madore  Mariani  Norton
Lenczewski  Moe  Morgan  Morrow  Mullery  Murphy, E.  Murphy, M.  Murphy, E.  Nelson  Sailer
Moe  Peterson, A.  Peterson, N.  Peterson, S.  Poppe  Rukavina  Ruad  Rukavina  Saier  Scalze
The motion did not prevail and the amendment was not adopted.

Kohls moved to amend S. F. No. 184, the second engrossment, as amended, as follows:

Pages 1 and 2, delete section 2

A roll call was requested and properly seconded.

The question was taken on the Kohls amendment and the roll was called. There were 51 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Anderson, B.  Demmer  Gottwalt  Howes  Ozment  Ssviggum
Anderson, S.  Dettmer  Gunther  Koenen  Paulsen  Tingelstad
Beard  Dittrich  Hackbart  Kohls  Peppin  Urdahl
Berns  Eastlund  Hamilton  Lanning  Magnus  Wardlow
Brod  Emmer  Haws  Seifert  Wstrom
Buesgens  Erickson  Heidgerken  McFarlane  Severson  Zellers
Cornish  Finstad  Holberg  Nornes  Shimanski
Dean  Fritz  Hoppe  Olson  Simpson
DeLaForest  Garofalo  Hosch  Otremba  Smith

Those who voted in the negative were:

Abeler  Doty  Johnson  Mahoney  Paymar  Solberg
Anzlec  Eken  Juhnke  Mariani  Pelowski  Swails
Atkins  Erhardt  Kahn  Marquart  Peterson, A.  Thao
Benson  Faust  Kalin  Masin  Peterson, N.  Thissen
Bigham  Gardner  Knuth  McNamara  Peterson, S.  Tillberry
Bly  Greiling  Kranz  Moe  Poppe  Tschumper
Brown  Hansen  Laine  Morgan  Rukavina  Wagens
Brynaert  Hausman  Lenczewski  Morrow  Ruud  Walker
Bunn  Hilstrom  Lesch  Mullery  Sailer  Ward
Carlson  Hilty  Liebling  Murphy, E.  Scalze  Welti
Clark  Hornstein  Lieder  Murphy, M.  Sertich  Winkler
Davnie  Hortman  Lillie  Nelson  Simon  Wollschlager
Dill  Huntley  Loeffler  Norton  Slawik  Spk. Kelliher
Dominguez  Jaros  Madore  Olin  Slocum

The motion did not prevail and the amendment was not adopted.
Seifert moved to amend S. F. No. 184, the second engrossment, as amended, as follows:

Page 1, line 15, after the period, insert "The above family planning agencies may not provide taxpayer-funded abortions."

A roll call was requested and properly seconded.

The question was taken on the Seifert amendment and the roll was called. There were 68 yeas and 66 nays as follows:

Those who voted in the affirmative were:

Abeler  Dill  Gunther  Kranz  Ozment  Thao
Anderson, B.  Dittrich  Hackbarth  Lanning  Paulsen  Tillberry
Anderson, S.  Doty  Hamilton  Lenczewski  Peppin  Tingelstad
Beard  Eastlund  Haws  Lieder  Peterson, N.  Urdaahl
Berns  Eken  Heiderken  Magnus  Ruth  Ward
Brod  Emmer  Holberg  Marquart  Seifert  Wardlow
Buesgens  Erickson  Hoppe  McFarlane  Severson  Westrom
Cornish  Faust  Hosch  McNamara  Shimanski  Zellers
Dean  Finstad  Howes  Nornes  Simpson  Smith
DeLaForest  Fritz  Juhnke  Olin  Solberg  Sviggum
Demmer  Garofalo  Koenen  Olson  Sivert  Sivigum
Dettmer  Gottwalt  Kohls  Otremba  Spk. Kelliher

Those who voted in the negative were:

Anzelc  Dominguez  Jaros  Mahoney  Paymar  Slawik
Atkins  Erhardt  Johnson  Mariani  Pelowski  Slocum
Benson  Gardner  Kahn  Masin  Peterson, A.  Swails
Bigham  Greiling  Kalin  Moe  Peterson, S.  Thissen
Bly  Hansen  Knuth  Morgan  Poppe  Tschumper
Brown  Hausman  Laine  Morrow  Rukavina  Wagens
Brynaert  Hilstrom  Lesch  Mullery  Rued  Walker
Bunn  Hilty  Liebling  Murphy, E.  Sailer  Welti
Carlson  Hornstein  Lillie  Murphy, M.  Scalze  Winkler
Clark  Hortman  Loeffer  Nelson  Sertich  Wollshlager
Davnie  Huntley  Madore  Norton  Simon  Spk. Kelliher

The motion prevailed and the amendment was adopted.

S. F. No. 184, A bill for an act relating to health; authorizing registered nurses to dispense oral contraceptives in family planning clinics; expanding the definition of a governmental unit; providing for adjustment of medical assistance reimbursement rates for family planning clinics; amending Minnesota Statutes 2006, sections 148.235, by adding a subdivision; 471.59, subdivision 1.

The bill was read for the third time, as amended, and placed upon its final passage.
The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 3 nays as follows:

Those who voted in the affirmative were:

Abeler  Dettmer  Haws  Lesch  Olin  Slawik
Anderson, B.  Dill  Heidgerken  Liebling  Olson  Slocum
Anderson, S.  Dittrich  Hilstrom  Lieder  Ozment  Smith
Anzelc  Dominguez  Hilty  Liedler  Paulsen  Solberg
Atkins  Doty  Holberg  Loeffer  Paymar  Sviggum
Beard  Eastlund  Hoppe  Madore  Pelowski  Swalls
Benson  Eken  Hornstein  Magnus  Peppin  Thao
Berns  Emmer  Hortman  Mahoney  Peterson, A.  Tillberry
Bigham  Erhardt  Hosch  Mariam  Peterson, N.  Tinglestad
Bly  Erickson  Howes  Marquart  Peterson, S.  Tschumper
Brod  Faust  Huntley  Masin  Poppe  Udahl
Brown  Finstad  Jaros  McFarlane  Rukavina  Wagenius
Brynaert  Fritz  Johnson  McNamara  Ruth  Walker
Buesgens  Gardner  Juhnke  Moel  Ruud  Ward
Bunn  Garofalo  Kahn  Morgan  Sailer  Wardlow
Carlson  Gottwalt  Kalin  Morrow  Scalze  Welti
Clark  Greiling  Knuth  Mullery  Seifert  Westrom
Cornish  Gunther  Kohls  Murphy, E.  Sertich  Winkler
Davnie  Hackbart  Kranz  Murphy, M.  Severson  Wollschlager
Dean  Hamilton  Laine  Nelson  Shimanski  Zellers
DeLaForest  Hansen  Lanning  Nornes  Simon  Spk. Kelliher
Demmer  Hausman  Leuczewski  Norton  Simpson

Those who voted in the negative were:

Koenen  Otremba  Thissen

The bill was passed, as amended, and its title agreed to.

Sertich moved that the remaining bills on the Calendar for the Day be continued. The motion prevailed.

There being no objection, the order of business reverted to Introduction and First Reading of House Bills.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Abeler and Walker introduced:

H. F. No. 2486, A bill for an act relating to insurance; requiring prior approval of evidence-based underwriting standards based upon life insurance applicants having received mental health care; amending Minnesota Statutes 2006, section 72A.20, subdivision 19.

The bill was read for the first time and referred to the Committee on Health and Human Services.
Solberg introduced:

H. F. No. 2487, A bill for an act relating to capital improvements; authorizing spending to acquire and better public land and buildings and other public improvements of a capital nature; authorizing the issuance of general obligation bonds; appropriating money for the city of McGregor to reroute treated water discharge.

The bill was read for the first time and referred to the Committee on Finance.

Westrom, Nornes, Heidgerken and Marquart introduced:

H. F. No. 2488, A bill for an act relating to education finance; authorizing a grant for Independent School District No. 264, Herman-Norcross; appropriating money.

The bill was read for the first time and referred to the Committee on Finance.

Mullery; Doty; Marquart; Carlson; Ward; Brown; Tschumper; Anzelc; Murphy, E.; Faust; Kalin and Sailer introduced:

H. F. No. 2489, A bill for an act relating to human services; providing attorney fees for invalid medical assistance liens; amending Minnesota Statutes 2006, section 256B.15, by adding a subdivision.

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice.

MOTIONS AND RESOLUTIONS

Rukavina moved that the name of Murphy, M., be added as an author on H. F. No. 122. The motion prevailed.

Loeffler moved that the name of Peterson, S., be added as an author on H. F. No. 2472. The motion prevailed.

Ruud moved that H. F. No. 1077 be recalled from the Committee on Commerce and Labor and be re-referred to the Committee on Rules and Legislative Administration. The motion prevailed.

Dill moved that S. F. No. 1753 be recalled from the Committee on Taxes and be re-referred to the Committee on Ways and Means. The motion prevailed.

Solberg moved that H. F. No. 1978, now on the General Register, be re-referred to the Committee on Ways and Means. The motion prevailed.

ADJOURNMENT

Sertich moved that when the House adjourns today it adjourn until 9:00 a.m., Wednesday, May 16, 2007. The motion prevailed.

Sertich moved that the House adjourn. The motion prevailed, and Speaker pro tempore Juhnke declared the House stands adjourned until 9:00 a.m., Wednesday, May 16, 2007.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives